

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JESSENIA TORRES, as Administrator of the
Estate of IVAN TORRES, Deceased, et al.,

Plaintiffs,

-against-

UNITED STATES OF AMERICA,

Defendant.

23-CV-3052 (RFT)

ORDER

ROBYN F. TARNOFSKY, United States Magistrate Judge:

Following a settlement conference on March 22, 2024, Plaintiffs Jessenia Torres, as Administrator of the Estate of Ivan Torres, and Lucila Torres and Defendant United States of America agreed to settle all outstanding claims in this action. (*See* ECF 48.) The Court closed this action on March 28, 2024 but permitted the parties to reopen the case within 30 days if the parties did not finalize a settlement agreement. (*See id.*)

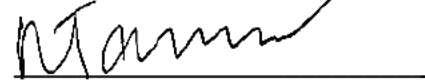
On April 3, 2024, the parties stipulated that, among other things, Plaintiffs would dismiss with prejudice all their claims in this action in return for a settlement award of \$105,000 from Defendant United States of America (the “Stipulation”). (*See* ECF 49.) On April 5, 2024, the Court SO ORDERED the parties’ Stipulation. (*See* ECF 50.)

On December 23, 2024, Plaintiffs filed a letter motion requesting that the Court determine the portion of the settlement award that is allocated to the payment of the decedent’s medical expenses. (*See* ECF 51.) According to Plaintiffs’ letter motion, the New York State Department of Health has asserted a lien on Plaintiffs’ settlement award as Medicaid and Medicare covered decedent’s medical expenses. (*See id.* at 1, 3.)

This action is scheduled for a telephonic status conference on **March 27, 2025 at 11:30 AM**. Plaintiffs and Defendant should be prepared to discuss whether they are interested in revisiting the terms of the Stipulation. Further, the parties should be prepared to discuss their positions on my authority to hold a hearing in, or otherwise reopen, this action. Counsel for Plaintiffs and for Defendant are directed to call my conference line at the scheduled time by dialing **(646) 453-4442, Access Code: 682 541 517 #**.

DATED: March 14, 2025
New York, NY

SO ORDERED.

A handwritten signature in black ink, appearing to read 'RTarnofsky', written over a horizontal line.

ROBYN F. TARNOFSKY
United States Magistrate Judge